

REMARKS

I. Examiner Interview

Applicants thank the Examiner for today's interview regarding the Final Office Action. In that interview, the Examiner stated that the amendment to claim 31 recorded above would put that claim in condition for allowance, unless any newly found art poses a patentability issue. The Examiner further stated that Claims 12, 15, 16 and 21-23 will be considered.

II. Election Requirement

Applicants request examination of Claims 12, 15, 16 and 21-23 because claim 1 is generic and reads on all of the non-elected species, B through N, identified in the Restriction/Election Requirement dated April 14, 2005. Claim 1 is generic to Claims 12, 15, 16 and 21-23 because each of Claims 12, 15, 16 and 21-23 depends directly or indirectly from Claim 1. *See* MPEP § 806.04(d).

III. Claim Rejection under 35 U.S.C. § 102

Claim 31 was rejected under 35 U.S.C. § 102 in view of U.S. Patent No. 5,961,548 to Shmulewitz. Applicants respectfully traverse that rejection and request that it be withdrawn. Shmulewitz discloses a bifurcated graft that has a "helical coil **20** having laterally and longitudinally offset coil portions **21** and **22** covered with biocompatible graft material **30**" designed to shunt blood to one of the iliac vessels (Shmulewitz 3:35-40). Shmulewitz discloses a helical coil, but in no way discloses "positioning the prosthetic branch and attaching the prosthetic branch to the prosthetic trunk so as to provide a fluid passage in a helical direction," as claimed in Claim 31, as amended. The stent disclosed in Shmulewitz does not have a "fluid passage in a helical direction," but merely has a straight fluid passage with helical supports. (*See, e.g.*, Figs. 1, 2 and 6.) Favorable reconsideration of that claim is requested.

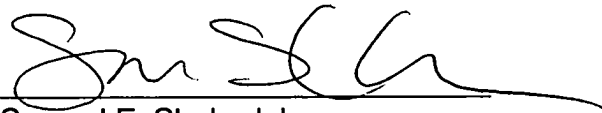
IV. Claim Rejection under 35 U.S.C. § 103

Claim 31 was also rejected under 35 U.S.C. § 103 in view of U.S. Patent No. 6,620,202 to Bottcher et al. Applicants respectfully traverse that rejection. Bottcher discloses "medical stents for facilitating drainage of fluid" including, for example, a stent for draining urine from the kidney to the bladder. (Bottcher 3:33-40.) While a portion of the Bottcher stent can be in the shape of a helix (314), it is clear that the stent disclosed in that patent does not teach or suggest "positioning the prosthetic branch and attaching the prosthetic branch to the prosthetic trunk so as to provide a fluid passage in a helical direction." No prosthetic trunk is shown in Bottcher, nor is any motivation expressed in Bottcher to attach the helical portion of the stent to a prosthetic trunk.

The Examiner cites specifically to Col. 1, lines 51-54; Col. 8, lines 26-30; and Figure 14 of Bottcher. However, all of these sections show or describe a tube with a single, non-branched fluid passage. Applicants respectfully request that the rejection of claim 31 under 35 U.S.C. § 103 be withdrawn for these reasons.

Having carefully addressed all of the rejections of the Examiner in the January 4, 2006 Final Office Action, it is respectfully asserted that the invention is both novel and non-obvious over the cited prior art documents. Allowance of Claims 12, 15, 16, 21-23 and 31 is earnestly solicited. Should the Examiner wish to discuss any of the above submissions in more detail, the Examiner is asked to please call the undersigned at the telephone number listed below.

Respectfully submitted,



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